

Appl. No. 10/617,603
Reply to Office Action of April 15, 2005

Docket No. RTN-170AUS

REMARKS

The above-identified patent application has been amended and Applicant respectfully requests the Examiner to reconsider and again examine the claims as amended.

Claims 1-43 are pending in the application. Claims 1-43 are rejected. Claims 1 and 34 are amended herein.

As an initial matter, Applicant brings to the Examiner's attention an information disclosure statement filed on April 28, 2005, after the date of the instant Office Action. Applicant respectfully requests that the Examiner consider the art cited in the above-identified information disclosure statement (if not already done) and provide associated signed and initialed information disclosure forms.

Applicant also notes that formal drawings earlier submitted on October 23, 2003 have not been indicated as being approved by the Examiner. Approval of the formal drawings is respectfully requested.

In the Specification

The Examiner has reminded the Applicant to update a blank on page 8. Applicant has amended a paragraph on page 8 herein in order to fill in the blank.

The Rejections under 35 U.S.C. §101

The Examiner rejects Claims 1-22 under 35 U.S.C. §101, asserting that Claims 1 is directed to non-statutory subject matter.

Claim 1 is amended herein to recite " A computer implemented method... ." Accordingly, Applicant submits that the rejection of Claims 1-22 under 35 U.S.C. §101 should be removed.

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The Rejections under 35 U.S.C. §112, Second Paragraph

The Examiner rejects Claims 1-22 under 35 U.S.C. §112, second paragraph.

Applicant has amended Claim 1 herein to recite " A computer method of storing commands... ."

In view of the above, Applicant submits that the rejection of Claims 1-22 under 35 U.S.C. §112, second paragraph, should be removed.

The Rejections under 35 U.S.C. §102(b)

The Examiner rejects Claims 1 and 9-43 under 35 U.S.C. §102(b) as being anticipated by Burt et al. (U.S. Patent number 5,649,032).

Applicant submits that Claim 1 is patentably distinct over Burt et al., since the cited reference neither describes nor suggests " ... recording a first set of commands to a command queue to provide a first dynamic snapshot ... recording one or more additional sets of commands to the command queue ... storing the one or more additional sets of commands...eliminating selected ones of overriding redundant, and superfluous commands from the command queue to provide a second dynamic snapshot ... and storing the second dynamic snapshot ... " as set forth in Claim 1.

With this particular arrangement, the present invention provides recording and storage of commands associated with a state of a processing system. In some embodiments, the claimed commands can be associated with a scene graph, which is a form of graphical display described in the instant application, for example, beginning at page 6, line 26.

In contrast, Burt et al. provides a system for automatically generating a mosaic from a plurality of input images, for data compressing the mosaic display for storage, and for using the mosaic in a surveillance system (see Burt abstract). The mosaic can, for example, be a

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panoramic image constructed from a plurality of images. The plurality of images are described by Burt et al. to be "... a video frame sequence, a series of satellite infra-red or visible photographs, a sequence of aerial photographs, or any other series of images that, when aligned with one another, form a mosaic." (column 4, lines 28-32) Burt fails to describe or suggest the claimed "commands" and recording and storage of the "commands" as claimed. Instead, Burt et al. operates on images.

In the Office Action, the Examiner apparently equates the claimed "commands" with "image inputs" of Burt et al. Applicant respectfully disagrees and submits that the claimed "commands" are distinct from image inputs. A command can include a line of software code and an image input includes pixel information or the like.

In view of the above, Applicant submits that Claim 1 is patentably distinct over Burt et al.

Claims 9-22 depend from and thus include the limitations of Claim 1. Thus, Applicant submits that Claims 9-22 are patentably distinct over the cited reference at least for the reasons discussed above in conjunction with Claim 1.

Applicant submits that Claims 9-12, and 14-22 are further patentably distinct over Burt et al., since the cited reference neither describes nor suggests "...commands....," as set forth in Claims 9-12, and 14-22.

Applicant submits that Claims 9, 16, 17, 20, and 21 are still further patentably distinct over Burt et al., since the cited reference neither describes nor suggests a "...scene graph....," as set forth in Claims 9, 16, 17, 20, and 21.

As described and recited above, a scene graph has particular meaning. Burt et al. fails to describe or suggest the claimed scene graph.

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Applicant submits that Claims 10, 18, and 22 are yet further patentably distinct over Burt et al., since the cited reference neither describes nor suggests an "...air traffic control (ATC) display," as set forth in Claims 10, 18, and 22.

In contrast, Burt et al. describes a mosaic for use in "aerial photographs" (column 4, line 30), "motion detection on a battle field" (column 5, lines 10-11), and an "airline display system" (column 6, line 49). The Examiner apparently considers the airline display system of Burt et al. to be an ATC system. However, Burt et al. describes the airline display system to have a "nose mounted camera." (column 6, line 51) Therefore, the airline display system of Burt et al. is mounted on an aircraft nose, and therefore, is not an ATC system as claimed.

For substantially the same reasons discussed above in conjunction with Claim 1, Applicant submits that Claim 23 is patentably distinct over Burt et al., since the cited reference neither describes nor suggests "A computer program medium having computer readable code thereon for storing commands, the medium comprising: instructions for recording a first set of commands to a command queue to provide a first dynamic snapshot...instructions for storing the first dynamic snapshot...instructions for recording one or more additional sets of commands to the command queue...instructions for storing the one or more additional sets of commands...instructions for eliminating selected ones of overriding redundant, and superfluous commands from the command queue to provide a second dynamic snapshot...and instructions for storing the second dynamic snapshot...", as set forth in Claim 23.

Claims 24-36 depend from and thus include the limitations of Claim 23. Thus, Applicant submits that Claims 24-36 are patentably distinct over the cited reference at least for the reasons discussed above in conjunction with Claim 23.

Applicant submits that Claims 24-28, and 31-36 are further patentably distinct over Burt et al., since the cited reference neither describes nor suggests "...commands...", as set forth in Claims 24-28, and 31-36.

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Applicant submits that Claims 24, 25, 32, 33, and 36 are still further patentably distinct over Burt et al., since the cited reference neither describes nor suggests a "...scene graph...", as set forth in Claims 24, 25, 32, 33, and 36.

Applicant submits that Claims 26, and 34 are yet further patentably distinct over Burt et al., since the cited reference neither describes nor suggests an "...air traffic control (ATC) display," as set forth in Claims 26, and 34.

For substantially the same reasons discussed above in conjunction with Claim 1, Applicant submits that Claim 37 is patentably distinct over Burt et al., since the cited reference neither describes nor suggests "A system for storing commands, comprising: a recording proxy adapted to intercept the commands; a dynamic snapshot generator coupled to the recording proxy for providing dynamic snapshots, wherein each dynamic snapshot corresponds to a respective sets of commands and each set of commands is associated with a system state a command interface coupled to the recording proxy for providing commands a storage module coupled to the command interface and to the dynamic snapshot generator, for storing the commands and for storing the dynamic snapshots," as set forth in Claim 37.

Claims 38-43 depend from and thus include the limitations of Claim 37. Thus, Applicant submits that Claims 38-43 are patentably distinct over the cited reference at least for the reasons discussed above in conjunction with Claim 37.

Applicant submits that Claims 38-43 are further patentably distinct over Burt et al., since the cited reference neither describes nor suggests "...commands...", as set forth in Claims 38-43.

Applicant submits that Claims 39 and 40 are still further patentably distinct over Burt et al., since the cited reference neither describes nor suggests a "...scene graph...", as set forth in Claims 39 and 40.

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Applicant submits that Claim 41 is yet further patentably distinct over Burt et al., since the cited reference neither describes nor suggests an "...air traffic control (ATC) display," as set forth in Claim 41.

In view of the above, Applicant submits that the rejection of Claims 1 and 9-43 under 35 U.S.C. §102(b) should be removed.

The Rejections under 35 U.S.C. §103(a)

The Examiner rejects Claims 2-8 under 35 U.S.C. §103(a) as being unpatentable over Burt et al.

Claims 2-8 depend from and thus include the limitations of Claim 1. Thus, Applicant submits that Claims 2-8 are patentably distinct over the cited reference at least for the reasons discussed above in conjunction with Claim 1.

As described above, with this particular arrangement, the present invention provides recording and storage of commands associated with a state of a processing system. In some embodiments, the claimed commands can be associated with a scene graph, which is a form of graphical display described in the instant application, for example, beginning at page 6, line 26.

In contrast, as described above, Burt et al. provides a system for automatically generating a mosaic from a plurality of input images, for data compressing the mosaic display for storage, and for using the mosaic in a surveillance system (see Burt abstract). The mosaic can, for example, be a panoramic image constructed from a plurality of images. The plurality of images are described by Burt et al. to be "... a video frame sequence, a series of satellite infra-red or visible photographs, a sequence of aerial photographs, or any other series of images that, when aligned with one another, form a mosaic." (column 4, lines 28-32) Burt fails to describe or suggest the claimed "commands" and recording and storage of the "commands" as claimed. Instead, Burt et al. operates on images

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Applicant submits that Claim 8 is further patentably distinct over Burt et al., since the cited reference neither describes nor suggests "...scene graph display commands...", as set forth in Claim 8.

In view of the above, Applicant submits that the rejection of Claims 2-8 under 35 U.S.C. §103(a) should be removed.


In view of the above Amendment and Remarks, Applicant submits that Claims 1-43 and the entire case are in condition for allowance and should be sent to issue and such action is respectfully requested.

The Examiner is respectfully invited to telephone the undersigning attorney if there are any questions regarding this Amendment or this application.

The Assistant Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845, including but not limited to, any charges for extensions of time under 37 C.F.R. §1.136.

Respectfully submitted,

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